

2013 **esil-sedi** symposium


Laurence Boisson de Chazournes

President of
the European Society of International Law

Co-chaired
by:

Iulia Antoanella Motoc

Judge at
the Constitutional Court of Romania



perspectives on international and domestic law

Rayonism, Blue-Green Forest by Natalia Goncharova, Museum of Modern Art, New York

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DIN BUCUREȘTI
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**Biblioteca Academiei Române
Amfiteatrul "Ion Heliade Rădulescu"
14.00**

Calea Victoriei, nr. 125
București, sector 1



Biblioteca Academiei Române



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perspectives on international and domestic law

THURSDAY, 26 SEPTEMBER 2013 • 14:00 - 18:00

Biblioteca Academiei Române • Amfiteatrul "Ion Heliade Rădulescu"

Calea Victoriei, nr. 125 • București, sector 1

The European Society of International Law (ESIL)

ESIL held its first-ever meeting almost 10 years ago, in response to a strongly-felt need for a general European network to develop deeper understanding among all people working in the field of international law. The goals of the society have always been to contribute to the rule of law in international relations and to promote the study of public international law, and its Articles of Association provide, *inter alia*, that it will organise and support in-depth exchanges of ideas on matters of common interest to international lawyers in Europe and elsewhere; provide a forum for European-wide discussions, and foster the involvement and representation of younger scholars.

Membership of the society is open to anyone interested in the field of international law, and the past decade has seen the development of a global network of scholars and practitioners, with well-attended events focusing on high-level scholarship held all over Europe - conferences, research fora, workshops, symposia, and lectures. In addition, the society now has ten active Interest Groups that have created smaller-scale networks. The exchange of ideas among members is continued via ESIL publications, newsletters and online publications. The society has close links with many international and national societies of international law as part of its mandate to promote greater awareness of international law.

The European Master's Degree in Human Rights and Democratisation (E.M.A)

E.M.A is the main teaching program of the European Inter-University Centre for Human Rights and Democratisation. Established in 1997 thanks to the vision of 10 pioneer universities, E.M.A is the oldest Master's program supported by the European Union. Over the years it has developed according to changing approaches to human rights and democratisation in Europe and in the world and to more integrated strategies in trans-European human rights education. Today E.M.A counts on the participation of 41 universities and human rights centers from all member states of the EU. The University of Bucharest participates in E.M.A through the Faculty of Political Sciences.

E.M.A successfully combines two objectives: on the one hand, to provide a solid theoretical preparation and, on the other hand, to offer a good understanding of the operational requirements and challenges of practical work. It has created a community of competent specialists working in the field of human rights and democratisation at the local, regional, national, international level both in the governmental and non-governmental sectors as well as in academia.

Co-Chairs

Laurence Boisson de Chazournes (President of the European Society of International Law)

Iulia Motoc (Judge at the Constitutional Court of Romania)

14:00 - 15:45

Panel I: International law and domestic law

Teodor Meleșcanu (Director of the Foreign Intelligence Service of Romania)

Livia Stanciu (President of the High Court of Cassation and Justice of Romania)

Anne Peters (Director at the Max Planck Institute for Comparative Public Law and International Law)

Radu Carp (Professor at the Faculty of Political Sciences, University of Bucharest)

Valentin Constantin (Professor at the Faculty of Law, West University of Timișoara)

Andrei Zlătescu (Western Ontario University, University of Bucharest)

Felix Zaharia (Ministry of Foreign Affairs of Romania)

16:00 - 17:45

Panel II: International law in domestic courts

Rodica Popa (Vice-President of the High Court of Cassation and Justice of Romania)

Catrinel Brumar (Romanian Government Agent for the European Court of Human Rights)

Bianca Guțan (Professor of Constitutional Law and International Human Rights Law at the Faculty of Law, Lucian Blaga University of Sibiu)

Bogdan Iancu (Lecturer at the Faculty of Political Sciences, University of Bucharest)

André Nollkaemper (Professor of International Law at the Faculty of Law, University of Amsterdam)

Ion Gâlea (Director General for Legal Affairs at the Ministry of Foreign Affairs of Romania)

18:00 - 19:00

Reception

Amfiteatrul "Ion Heliade Rădulescu"

Panelists

Laurence Boisson de Chazournes is Professor of international law at the University of Geneva. Her areas of expertise include the law of international organizations, international environmental law and water law, international economic law and international dispute settlement. She was a Senior Counsel to the World Bank (1995 – 1998) and is an advisor to various international organizations (including the World Bank, WHO, UNDP, ILO). She is a member of the Permanent Court of Arbitration, has served as chairperson of WTO arbitration panels on pre-shipment inspections and as an arbitrator for ICSID. She has acted as Counsel before the International Court of Justice and other dispute settlement procedures.

Catrinel Brumar is the Romanian Government Agent for the European Court of Human Rights and a Lecturer of international law and international human rights law at the Nicolae Titulescu University of Bucharest. Previously she held the positions of Director of EU Law, and Head of the International Sanctions Office in the Ministry of Foreign Affairs of Romania, and taught at the National Institute of Magistracy. She has an extensive knowledge ECtHR practice, and is an expert in the field of refugee law, where she is also preparing her PhD. Ms. Brumar acted as Adviser in the Maritime Delimitation case (Romania v. Ukraine) before the International Court of Justice. She has published extensively on ECtHR decisions, refugee law and access to justice.

Radu Carp is Professor of law at the Faculty of Political Sciences, University of Bucharest, where he held the positions of vice-dean (2008-2010) and scientific secretary (2010-2012). Professor Carp holds a PhD in Comparative Constitutional Law from the Babes-Bolyai University of Cluj, and has been involved in numerous Romanian constitutional matters, most prominently as Scientific Secretary to the Presidential Commission for the Analysis of the Romanian Constitutional and Political Regime. He was a Director of the Romanian Diplomatic Institute and a member of the International Center for Black Sea Studies (Athens). He has been a visiting professor at numerous universities, including the University of Umea, the Charles University of Prague, Toronto University, the National and Kapodistrian University of Athens, and the universities of Vilnius and Szeged. He has a longstanding experience in participating in international education and research projects such as AFP, LLP or CEEPUS.

Valentin Constantin teaches International Law, International Human Rights Law and European Law at the University of the West in Timișoara - School of Law. He was Associate Professor at the Babes-Bolyai University of Cluj-Napoca and Visiting Professor at Montpellier I University, Aix-Marseille University and Novi-Sad University. He is member of the board of *Noua Revistă de Drepturile Omului* (New Journal of Human Rights) and author of books and scholarly articles in international law, human rights law, constitutional law and international organisations law.

Ion Gâlea is Director General for Legal Affairs in the Ministry of Foreign Affairs of Romania, and Lecturer of international law and international organizations at the University of Bucharest Law School. He holds a PhD in international law from the University of Bucharest, Law School and a Master in European Integration from the University of Graz. He has been intensively involved in European Law issues, especially as a Director for European Law in the Ministry of Foreign Affairs, and represented Romania during the negotiations of the Treaty establishing a Constitution for Europe. In 2012, Dr. Gâlea published a book on the accession of the EU to the European Convention on Human Rights, and in 2013, a treatise on the application of international humanitarian law to counter-terrorism operations.

Bianca Guțan is Professor of International Human Rights Law and Constitutional Law at the Faculty of Law, Lucian Blaga University of Sibiu, where she also teaches European Human Rights Law. She has been actively participating in the Lucian Blaga University academic life, teaching and researching there since 1996 and coordinating student teams at various human rights moot courts. She was a visiting professor at the Philipps University of Marburg and Carlos III University of Madrid. She has published extensively in the field of human rights, and chronicled many decisions of the European Court of Human Rights. She currently sits in the Editorial Board of several major Romanian law journals, is a member of the Romanian Association of Constitutional Law, the Paul Negulescu Institute of Administrative Sciences and has been a member of the European Society of International Law.

Bogdan Iancu is a Lecturer in Public Law at the Faculty of Political Sciences, University of Bucharest, and holds a Doctorate in law (summa cum laude) at the Central European University. He has researched at the faculties of law of the University of Toronto and McGill University, the Yale Law School, and at the Wissenschaftskolleg zu Berlin. He also lectured at McGill University and Université de Montréal. Between 2008 and 2010, Bogdan Iancu was an Alexander von Humboldt research fellow at the University of Bremen, Faculty of Law and the Faculty of Law of the Humboldt University in Berlin. His recent publications deal with the future European statehood, the law/politics distinction and the legislative delegation.

Teodor Meleşcanu is Director of the Foreign Intelligence Service of Romania and Professor of international law at the University of Bucharest. Between 1997 and 2011 he was a member of the International Law Commission. He has held successively the position of Secretary of State, Minister of Foreign Affairs, President of the Foreign Relations Committee in the Romanian Senate, Minister of Justice, Minister of Defense, and President of the Defense Committee in the Romanian Senate. He is the Vice-President of the Romanian Association for International Law and International Relations, and has written a substantial number of monographs and articles dealing with international law, diplomacy, and security.

Iulia Motoc is Judge at the Constitutional Court of Romania, and Professor of international law at the University of Bucharest, School of Political Sciences, where she is the Director for Romania of EMA. Currently she is also the Vice-Chair of the UN Human Rights Committee. Before taking her position at the Constitutional Court, she worked with the United Nations, as Special Rapporteur for Human Rights and Genetics, Special Rapporteur for the Human Rights Situation in the DRC, and President of several Working Groups and Sub-commissions. She has also been an ad-hoc judge at the European Court of Human Rights. She has taught at the European Institute in Florence, the New York University Law School, and the Saint Thomas University in Miami. She has published extensively in the fields of international law and international human rights law.

André Nollkaemper is Professor of international Law and Vice-Dean for Research at the Faculty of Law of the University of Amsterdam. He also is (external) Advisor to the Minister of Foreign Affairs of the Netherlands. He is member of the Board of the European Society of International Law and member of the Royal Academy of Sciences of the Netherlands. His areas of expertise include the law of international responsibility, relations between international and national law, and international environmental law. His practical experience includes cases before the international courts and tribunals and courts of the Netherlands. He is editor-in chief of *International Law in Domestic Courts*. Presently he conducts research projects on interfaces between international and national law, post national rule making and shared responsibility in international law.

Anne Peters is Director at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg. She is also a member (substitute) of the Venice Commission in respect of Germany. She taught public international law, constitutional law, and European law at the Albert-Ludwigs University of Freiburg, Walter-Shücking Institute of Public International Law in Kiel, and at the University of Basel, where she has been a Dean and a dean of research of the Basel Law School. In addition, she taught, as a Visiting Professor, at Sciences Po in Paris, and has been a member of the Swiss National Research Council. Between 2010 and 2012, she held the position of President of the European Society of International Law.

Rodica Popa has been Vice-President of the High Court of Cassation and Justice of Romania since 2010. Previously, she was a Judge at Curtea de Argeș and Bucharest Courts of First Instance, Bucharest Tribunal and Court of Appeals, where she was acting Vice-President. Judge Popa has been teaching Criminal Law and Criminal Procedure at the National Institute of Magistracy since 1997. She has been involved in numerous projects dealing with criminal law, the National Anti-Corruption Strategy and the role of the judge in a democratic society. She represented Romania in the Consultative Council of European Judges (Council of Europe) and has written many articles on criminal law.

Livia Stanciu is President of the High Court of Cassation and Justice of Romania. She has had a distinguished judicial career, first as Public Prosecutor and then as Judge at the Galați Tribunal and Court of Appeals, and Judge at the High Court. Judge Stanciu taught constitutional law and criminal law at the Dunărea de Jos University of Galați, between 1998 and 2005, and afterwards criminal law at the Danubius University of Galați. She is currently teaching at the National Institute of Magistracy, where she also represents the High Court. She is a member of the International Association of Penal Law, and an editor of the *Revista Română de Jurisprudență* (Romanian Case-law Journal).

Andrei Zlătescu presently is the coordinator of EIUC - EMA for Romania. He has previously served as Assistant Professor in Global Studies with the Faculty of Information and Media Studies at Western Ontario University and as a Professor of Communication with Fanshawe College in London, Ontario. Between 2003 and 2010, he taught General Studies for The Faculty of Communication of Culture at University of Calgary. He holds a PhD in Comparative Literature from the University of Alberta. In 2010, on behalf of the University of Calgary, he led a field-course in Political Anthropology and Applied Community Studies in Ecuador's Andean and Upper Amazon regions. He has researched and published extensively in the fields of Cultural Anthropology, History of Ideas, Community Studies, and Rights of People Belonging to Minorities.

Felix Zaharia is diplomat in the International Law and Treaties Directorate of the Ministry of Foreign Affairs of Romania. He is also the Vice-Chair of the Espoo Convention Implementation Committee and Rapporteur of the Basel Convention Implementation and Compliance Committee. He has recently graduated the Harvard Law School LL.M. program where he was an editor of the *Harvard International Law Journal*. He taught at the Faculty of Law and the Faculty of History, University of Bucharest, and at the Faculty of Law, University of Bologna.

More information on:

- becoming a member of the European Society of International Law:

<http://www.esil-sedi.eu/node/46>

- the European Master's Degree in Human Rights and Democratisation:

<http://eiuc.org/education/ema.html>

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Notes
